



US EPA RECORDS CENTER REGION 5



417632

P.O. Box 1060
Hot Springs, Arkansas 71902

April 23, 2010

Mr. Michael Berkoff
Remedial Project Manager
U.S. Environmental Protection Agency – Region V
Superfund Division, Remedial Response Section #2
77 West Jackson Boulevard (SR – 6J)
Chicago, Illinois 60604 - 3590

Dear Mr. Berkoff:

Re: Remedial Design Milestone for Reimbursement
12th Street Landfill Operable Unit No.4
Allied Paper, Inc./Portage Creek/Kalamazoo River Superfund Site
Allegan and Kalamazoo County

As specified in Appendix G of the Consent Order, Weyerhaeuser has completed Milestone b. with the approval of the Remedial Design for 12th St. Landfill granted on March 25, 2010. As a result, Weyerhaeuser is eligible for disbursement of funds from the Disbursement Special Account. A Cost Summary and Certification has been provided for your review.

The attached spreadsheet documents invoices paid by month for relevant work provided to complete the Remedial Design and work performed on the 12th St. Landfill (OU-4) in preparation for a TCRA in the Kalamazoo River (Powerhouse Channel rerouting) adjacent to the 12th St. Landfill.

Costs incurred from February 2007 through March 2010 are included. This time period begins with the development of a Remedial Design Workplan for 12th St. Landfill and actions taken in preparation for the Powerhouse Channel rerouting as part of a TCRA on the Kalamazoo River, portions of which are adjacent to the landfill OU-4 and ends with the USEPA approval of the Remedial Design. Costs associated with Weyerhaeuser personnel are not included in invoices reviewed or part of the Cost Summary. A brief description follows for each task performed. Costs associated with each contract supplement are documented in the attached spreadsheet by month and year in which the charges were incurred.

Tasks performed under contract supplement No. L0300/302 included: Review of documents relevant to 12th St. obtained through FOIA reviews at MDEQ and USEPA Region V; identification of data gaps needed to be filled to complete the design activities; preparation of a Health and Safety Plan for pre-design investigation activities; preparation of a draft Remedial Design Work Plan meeting the requirements of Paragraphs 28a and 28b and Section III, Task I of the SOW to contain a QAPP and FSP; prepare a Quality Management Plan as required in paragraph 27a; determine landfill capacity; and perform project management. Amount spent for tasks associated with RMT Contract Supplement L0300/302 was \$133,125.

Contract Supplement **L0400** was issued to address implications of a Time Critical Removal Action (TCRA) in the Kalamazoo River, part of which consisted of removal of the west portion of the Plainwell Dam and rerouting the Kalamazoo River through the former powerhouse channel. The powerhouse channel is adjacent to the Plainwell 12th St. landfill. Key actions were to review the TCRA design report and determine the effects on Weyerhaeuser's commitments in its Consent Decree. Costs for RMT's review and actions Weyerhaeuser should consider in response to the TCRA were \$135,777.

The scope of work included in RMT contract supplement **L0304** was intended to develop the technical basis for determining where aquatic (in-stream) versus terrestrial (floodplain or upland) cleanup criteria would apply at 12th St. Landfill. Ecological habitat and river inundation were conducted studies. River inundation studies were based on existing topography data from the 12th St. Landfill and river stage data collected by RMT. Cost for this these tasks was \$17,816.

Tasks associated contract supplement **L0305** addressed responses to EPA's comment on the Remedial Design Work-plan and planning activities for the pre-design investigations for the landfill. Process of securing subcontractors and gaining access agreements was also part of this task. Total spent on this supplement by RMT was \$99,634.

Several tasks were implemented to address the landfill slope along the Kalamazoo River and the paper mill residuals that may have eroded from the landfill toward the Kalamazoo River. These issues were addressed through contract supplement **L0500**. Efforts were moved up, relative to the landfill schedule, to prepare for the TCRA action adjacent to the landfill. A detailed review was completed of the impact the TCRA would have relative to erosion protection needed to address the 12th St. Landfill ROD, as well as paper residuals that were a component of the landfill ROD. A large part of this task was to evaluate options to manage Weyerhaeuser's liability associated with both increased erosion potential and dispersion of residuals present in the powerhouse channel and getting to a conceptual design schedule to coincide with the TCRA activities that were scheduled for the powerhouse channel. Tasks for **L0500** totaled \$220,399.

Prior to the on-site work completed under supplements L506 and L507, supplement **L504** was utilized to develop the erosion control design to protect the toe of the landfill, up to a 500-year storm event and to integrate this design with the final landfill design. Assessment of slope stability and construction issues associated with erosion control was completed along with the development of a sediment removal plan. Work completed under contract supplement **L505**, included equipment mobilization and site preparation in support of the field construction activities to follow. Clearing and grubbing was completed to allow construction of an access road to the channel from the top of the landfill and along the channel to allow equipment access to the area. Containment pads were constructed on top of the landfill to accommodate placement of sediments from the channel. Equipment procurement, including Portadam structures and other equipment used in the removal and dewatering activities was part of this task. Spend for this combined activity was \$298,719.

L506 and L507 were contracted activities to remove sediment from the toe of the landfill slope that extended into the Kalamazoo River. With the dam removal and rerouting of the

powerhouse channel, the resulting change in river flow and velocity was predicted to increase the potential for bank erosion and undercutting, thus threatening the release of waste materials from the landfill. In order to prevent, abate or minimize such a release, Weyerhaeuser was authorized under Paragraph 67 of the Consent Order to excavate paper residuals, reconfigure banks and construct erosion control along the bank adjacent to the landfill. A cofferdam structure and a secondary retention area were constructed using double silt turbidity control curtains. The channel was dewatered primarily with a long-reach hydraulic excavator. Water treatment was utilized to reduce high turbidity from sediment run-off. Erosion control was established as required by the ROD to provide protection from a 500-year flood. Upon completion of the removal activities, the eastern slope of the landfill was relocated further into the landfill and sloped to 5H: 1V and interim cover material placed. These activities were managed in a manner to work into the final design for the landfill closure. Cost to complete these two multi-task contract supplements was \$627,094.

Preparation of the Remedial Design Report for the landfill was the objective of contract supplement L1400. Development of the Preliminary Design Report was to include design for excavating paper residuals, grading landfill, final cover installation. Design of passive gas collection system and long term gas monitoring plan were completed. The concept of developing the landfill into an eco-park as an alternative to long-term site closure was addressed in this task. Remedial Cost for this task was \$262,643.

Weyerhaeuser transitioned from RMT to Conestoga- Rovers and Associates, inc. (CRA) as consultants at an estimated 90% + completion of the Remedial Design. Due to difficult financial situation, Weyerhaeuser sought to reduce the cost to construct the landfill and proposed alternative designs to the landfill including modifying the slope from 4H: 1V to 3H:1V and a change to the passive gas collection system following CRA's review of the RMT Pre-Final Design submittal. Although sound in technical merit, both alternatives were rejected by EPA as MDEQ could not accept modifications to the design. Additional data, paper waste strength investigation and gas emission test, was collected for inclusion in the Remedial Design. Remedial Design Report was completed by CRA and approved as well as the Redial Action Work Plan. The cost to bring the project to state of construction readiness was \$304,340.

Thiel Engineering provided a third party review of the landfill design provided by RMT and CRA. Review cost was \$1875.

Documents reviewed for completion of the Cost Summary were invoices from RMT, CRA and Thiel Engineering beginning with RMT's invoice from February 2007 and ending with CRA's invoice for work completed in February 2010. Contract supplements from each consultant supporting each invoice were reviewed. Consent Decree Appendix G, Management of the Disbursement Special Account was reviewed. Participating in the Cost Summary review were Harold Glenn, Corporate Financial Analyst, with a close working knowledge Weyerhaeuser's Remediation Program, reports to the Chief Accounting Officer; Jeanne Hillman, Chief Accounting Officer, participates directly in the quarterly review of the Remediation Program. Kathy Drahos, Data Manager for Remediation Program; and Richard Gay, Remediation Program Manager and Project Manager for Plainwell 12th St. Landfill. Weyerhaeuser's invoicing system codes invoices to allow separation between the Plainwell 12th St. Landfill Project and the

Plainwell Mill Site. As part of the Cost Summary invoices for both projects were reviewed and hard copies filed separately to physically distance one project from the other.

Should you have questions or need additional information, please contact me at 501 624-8554.

Respectfully submitted,

A handwritten signature in cursive script that reads "Richard Gay".

Richard Gay
Remediation Program Manager
Weyerhaeuser
Hot Springs, AR

Enclosures: Cost Summary
Certification Statement

xc: Sara Kendall
Jeanne Hillman
Harold Glenn
Kathy Drahos

To the best of my knowledge, after thorough review of Weyerhaeuser's documentation of costs incurred and paid for Work performed pursuant to this Consent Decree up to the date of Milestone B (EPA approval of Remedial Design), I certify that the information contained in or accompanying this submittal is true, accurate, and complete. I am aware that there are significant penalties for knowingly submitting false information, including the possibility of fine or imprisonment.

A handwritten signature in black ink, appearing to read "J Hillman".

4/22/10

Jeanne Hillman

VP & Chief Accounting Officer

12th St. Landfill

| | CRA 056393 | L0300/302 | L0400 | L0500 | RMT Contract Supplements | | | | L507 | L1400 | L0305 | L0304 | Thiel Eng. | Totals |
|-------|--------------|---------------|---------------|--------------|--------------------------|--------------|---------------|---------------|---------------|---------------|--------------|--------------|-------------|---------------------|
| | | | | | L504 | predesign | L505 | L506 | | | | | | |
| Sep | 4,366.41 | | | | | | | | | | | | | |
| Oct | 21,078.21 | | | | | | | | | | | | | |
| Nov | 7,626.27 | | | | | | | | | | | | | |
| Dec | 5,810.82 | | | | | | | | | | | | | |
| Total | 260,977.94 | - | | - | - | - | - | - | 1,434.79 | 54,351.51 | - | - | - | 316,764.24 |
| 2010 | | | | | | | | | | | | | | |
| Jan | 16,655.33 | | | | | | | | | | | | | |
| Feb | 5,026.11 | | | | | | | | | | | | | |
| Mar | 21,681.44 | | | | | | | | | | | | | |
| Total | 43,362.88 | - | | - | - | - | - | - | - | - | - | - | - | 43,362.88 |
| | | | | | | | | | | | | | | |
| \$ | \$304,340.82 | \$ 131,125.07 | \$ 135,777.20 | \$ 90,080.80 | \$ 107,237.61 | \$ 48,292.36 | \$ 191,541.84 | \$ 418,120.54 | \$ 208,973.94 | \$ 262,643.42 | \$ 99,634.52 | \$ 17,816.25 | \$ 1,875.00 | <u>2,017,459.37</u> |